



REGISTRAR OF REGULATIONS

08 SEP 26 PM 2: 15

COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487

Fax: 804-864-7481

NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 040-085, PEPPER CREEK AND VICINITY

EFFECTIVE 10 OCTOBER 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 040-085, Pepper Creek and Vicinity", effective 19 September 2007, is cancelled effective 10 October 2008.
2. Seasonally Condemned Shellfish Area Number 040-085 shown as Sections M1 and M2 is hereby established effective 10 October 2008, for the period October 10, 2008 through October 31, 2008, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from these areas during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Pepper Creek and Vicinity, Condemned Shellfish Area Number 040-085, 10 October 2008" which is a part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 040-085

- M1. The condemned area shall include all of the northern tributary of Davis Creek lying upstream of a line drawn between latitude/longitude map coordinate (37°19'52.0", -76°18'01.6") and map coordinate (37°19'52.2", -76°17'56.0").
- M2. The condemned area shall include all of the eastern tributary of Davis Creek lying upstream of a line drawn between latitude/longitude map coordinate (37°19'45.5", -76°17'47.5") and map coordinate (37°19'43.3", -76°17'44.4").

Recommended by:

Director, Division of Shellfish Sanitation

Ordered by:

State Health Commissioner

9/24/08
Date

Virginia Department of Health
Pepper Creek and Vicinity
Condemned Shellfish Area Number 040-085
10 October 2008

0 1,000 2,000 4,000
Feet



Mobjack Bay
05-00-00

Sloop
Creek
05-08-00

Pepper
Creek
05-06-00

Mathews
County

Dutchmans Rd

Section
M1

Davis
Creek
05-04-00

Section
M2



Seasonally Condemned Shellfish Areas
(Sections M1-M2)

(37°19'52.0" N, -76°18'01.6" W)
(37°19'52.2" N, -76°17'56.0" W)
(37°19'45.5" N, -76°17'47.5" W)
(37°19'43.3" N, -76°17'44.4" W)